

Harris County - County Civil Court at Law No. 4

CAUSE NO. 1128590

MONA YOUNES, O.D.,	§	IN THE COUNTY CIVIL COURT
	§	
<i>Plaintiff,</i>	§	
	§	
VS.	§	AT LAW NO. _____
	§	
SENTINEL INSURANCE COMPANY,	§	
LTD.,	§	
	§	
<i>Defendant</i>	§	HARRIS COUNTY, TEXAS

**PLAINTIFF'S ORIGINAL PETITION AND
REQUEST FOR DISCLOSURE TO DEFENDANT**

TO THE HONORABLE JUDGE OF SAID COURT:

Plaintiff MONA YOUNES, O.D. complains of Defendant SENTINEL INSURANCE COMPANY, LTD., and in support would show this Court the following:

LEVEL

1. Plaintiff intends to conduct discovery under Level 1 of Rule 190.3 of the Texas Rules of Civil Procedure.

RELIEF

2. Plaintiff seeks only monetary relief not to exceed \$100,000. Tex. R. Civ. P. 47(c)(1).

PARTIES

3. Plaintiff is a resident of Harris County, Texas.

4. Defendant Sentinel Insurance Company, Ltd. is an insurance company organized under the laws of the State of Connecticut and authorized to do business in the State of Texas, and may be served with process by serving its registered agent, CT Corporation System, 1999 Bryan Street, Suite 900, Dallas, Texas 75201.

Confidential information may have been redacted from the document in compliance with the Public Information Act.

A Certified Copy

Attest: 5/3/2019

Diane Trautman, County Clerk
Harris County, Texas

Courtney Summerlin

Courtney Summerlin

Deputy



CON:428385|15449879



VENUE

4. Venue is proper in Harris County pursuant to §§15.002(a)(1) and 15.032 of the Texas Civil Practice and Remedies Code.

FACTS

5. This lawsuit results from an insurance claim arising from water damage to the dental office of Plaintiff Mona Younes, D.O. ("Plaintiff" or "Younes"), located at 1540 South Mason Road, Suite C, Katy, Texas 77450, on or about March 4, 2017 (the "Claim"). Plaintiff promptly filed the Claim with her property insurer, Defendant Sentinel Insurance Company, Ltd. ("Defendant") to recover damages for repairs to her property and loss of business income.

6. Plaintiff's office was interrupted for 25 consecutive business days as a result of the damage and the repairs.

7. Defendant has failed and refused to compensate Younes for the resulting loss of business income.

8. Thus, Plaintiff has been forced to file this lawsuit.

BREACH OF CONTRACT

9. Prior to the events in question, Defendant issued a policy of insurance which provided Plaintiff with coverage for physical damage, including loss of business income.

10. Plaintiff submitted the Claim in compliance with the terms of Defendant's policy. Plaintiff has complied with all necessary terms and conditions of the insuring agreement.

11. Defendant has failed and refused to pay Plaintiff's damages.

BREACH OF DUTY OF GOOD FAITH AND FAIR DEALING

12. Defendant owed a duty of good faith and fair dealing to Plaintiff.

13. Defendant breached its duty of good faith and fair dealing to Younes by failing and refusing

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to settle the Claim in a prompt, fair, and equitable manner.

14. Defendant's actions have caused Plaintiff to incur damages in an amount within the jurisdictional limits of this Court.

15. In addition to actual damages incurred, Plaintiff seeks exemplary damages of up to four (4) times the amount of her actual damages, to deter Defendant, and other insurance companies, similarly situated, from acting in such a malicious, wanton, and reckless manner.

NEGLIGENT MISREPRESENTATION

16. In connection with the Claim, Defendant, by and through its claim representative(s), including Robert Lopez, provided instructions relating to the commencement of the repairs and business closure of Plaintiff's office during the repairs. Due to Defendant's delays in approval and issuance of the payment for the repairs, Plaintiff's office was closed for twenty-five (25) consecutive business days, from April 17, 2017 to May 22, 2017. Based on average production prior to the claim which forms the basis of this lawsuit, Plaintiff's resulting loss of business income amounts to approximately \$55,000.

DAMAGES

17. As a result of Defendant's wrongful actions, Plaintiff sustained damages in an amount within the jurisdictional limits of this Court.

18. In order to protect Plaintiff's rights, it has become necessary to employ the undersigned attorneys. Plaintiff would show that Defendant is liable for the reasonable attorney's fees incurred pursuant to Section 38.001 of the Texas Civil Practice and Remedies Code, plus additional attorney's fees in the event of an appeal or Writ of Error.

PRAYER


Plaintiff Mona Younes, O.D. prays that Defendant Sentinel Insurance Company, Ltd. appear

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herein, and that upon final trial Plaintiff be awarded a judgment against Defendant for actual damages, attorney's fees, and exemplary damages, as well as costs of court and prejudgment and post-judgment interest at the highest lawful rate, and such other and further relief, both general and special, to which Plaintiff may show herself entitled.

REQUEST FOR DISCLOSURE

Under Rule 194 of the Texas Rules of Civil Procedure, Plaintiff requests that Defendant Sentinel Insurance Company, Ltd. disclose, within fifty (50) days of service, the information and materials described in Rule 194.2.

Respectfully submitted,

THE LAW OFFICE OF NHAN NGUYEN

/s/ Nhan Nguyen

Nhan Nguyen
Texas Bar No. 24041589
2500 West Loop South, Suite 340
Houston, Texas 77027
Telephone: 713/840-7200
Telecopier: 713/583-4155
Email: Nhan@healthlawservices.com

ATTORNEYS FOR PLAINTIFF

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Harris County, Texas



Courtney Summerlin

Deputy



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4/29/2019 8:05 AM
Diane Trautman
County Clerk
Harris County

HARRIS COUNTY, TX



1128590

Harris County - County Civil Court at Law No. 4

5/1/2019 2:09 PM
Diane Trautman
County Clerk
Harris County

CAUSE NO. 1128590

MONA YOUNEZ, O.D.,

Plaintiff,

VS.

SENTINEL INSURANCE COMPANY,
LTD.,*Defendant*§
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IN THE COUNTY CIVIL COURT

AT LAW NO. 4

HARRIS COUNTY, TEXAS

NOTICE OF DESIGNATION OF EMAIL ADDRESS FOR SERVICE OF DOCUMENTS

Pursuant to Tex. R. Civ. P. 21(f)(2) & 21a, the undersigned counsel gives notice of the following designated email address for all e-served documents and notices, filed and unfiled. This is the undersigned's only e-Service email address, and service through any other email address will be considered invalid.

E-service Email: eservice@westlooplaw.com

Respectfully submitted,

THE LAW OFFICE OF NHAN NGUYEN

/s/ Nhan Nguyen

Nhan Nguyen

Texas Bar No. 24041589

2500 West Loop South, Suite 340

Houston, Texas 77027

Telephone: 713/840-7200

Telecopier: 713/583-4155

General Correspondence Email:

Nhan@healthlawservices.com***E-Service Email: eservice@westlooplaw.com*****E-Service is only accepted at the above
designated****e-Service email address****ATTORNEY FOR PLAINTIFF**

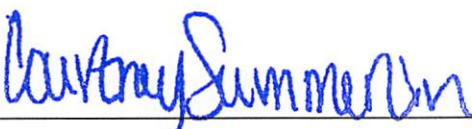
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Diane Trautman, County Clerk

Harris County, Texas



Courtney Summerlin

Deputy



CON:428385|15640423





OFFICE OF DIANE TRAUTMAN
COUNTY CLERK, HARRIS COUNTY, TEXAS
COUNTY CIVIL COURTS DEPARTMENT

Docket Number: 1128590
Receipt Number: Date: Sheriff/Constable Fee: \$

MONA YOUNES O.D.

Plaintiff

VS.

SENTINEL INSURANCE COMPANY, LTD.

Defendant

In The County Civil Court at Law No. 4

201 Caroline #540

Houston, Tx 77002

THE STATE OF TEXAS
ORIGINAL PETITION DISCLOSURE CITATION

To: SENTINEL INSURANCE COMPANY LTD is a company and may be served by serving its registered agent, CT CORPORATION SYSTEM, 1999 BRYAN STREET, SUITE 900, DALLAS, TEXAS 75201

Attached is a copy of petition.

This instrument was filed on the **25th day of February, 2019**, in the above cited cause number and court. The instrument attached describes the claim against you.

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the county clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you.

Issued and given under my hand and the seal of said court, at Houston, Texas, on this 25th day of April, 2019

(Seal)

Diane Trautman, County Clerk
County Civil Court at Law No. 4
201 Caroline, Suite 300
Harris County, Texas

Jon Shelton
Deputy County Clerk

Requested

By:

NHAN HUYNH NGUYEN
2500 WEST LOOP SOUTH STE 340
HOUSTON TX 77027

P.O. Box 1525 • Houston, TX 77251-1525 • (713) 274-1374

Form No. H01029 (Rev. 08/29/2016)

WWW.CCLERK.HCTX.NET

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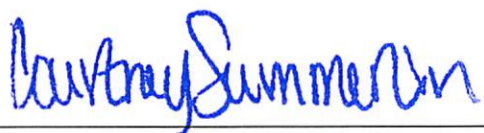
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